

September 3, 2008

**UNITED STATES DISTRICT COURT
FOR THE
SOUTHERN DISTRICT OF CALIFORNIA**

08 SEP -4 AM 7:35

Petition for Warrant or Summons for Offender Under Supervision
COURT
SOUTHERN DISTRICT OF CALIFORNIA

Name of Defendant: MARTIN, Peter Michael (English)
Charged As: (same)

DEPUTY
Dkt No.: 07CR3406DMS-001

Reg. No.: 06699-298

Name of Judicial Officer: The Honorable Barbara Lynn Major, U.S. Magistrate Judge

Next Court Date: October 24, 2008, at 9:00 a.m. for sentencing.

Original Offense: Alien Smuggling

Date Conditions of Release Imposed: December 10, 2007, before the Honorable Barbara Lynn Major, U.S. Magistrate Judge

Conditions of Release: restrict travel to Southern District of California; do not enter Mexico; report for supervision to Pretrial Services Agency (PSA) as directed by the assigned Pretrial Services Officer and pay for the reasonable costs of supervision in an amount determined by PSA and approved by the Court; not possess or use any narcotic drug or other controlled substance as defined in 21 U.S.C. § 802, without a lawful medical prescription; not possess any firearm or other dangerous weapon or explosive device; read, or have explained, and acknowledge understanding of the Advice of Penalties and Sanctions Forms; Provide the court a current residence address and telephone number prior to release from custody and keep it current while the case is pending; submit to treatment, and/or testing, as specified by the Pretrial Services Officer for drug or alcohol abuse; actively seek and maintain full-time employment, schooling, or combination both; execute a personal appearance bond in the amount of \$20,000 Secured by: co-signed by 2 financially responsible (related) adults; clear all warrants/FTA's within 30 days of release;

Modification: April 8, 2008 - reside at and participate in CRASH residential drug treatment program.

Date Supervision Commenced: April 9, 2008

Asst. U.S. Atty.: Peter Mazza

Defense Counsel: Shaffy Moeel (Appointed)
(619) 685-3714

Prior Violation History: None.

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PETITIONING THE COURT

TO ISSUE A NO-BAIL BENCH WARRANT

The Pretrial Services officer believes that the defendant has violated the following condition(s) of pretrial release:

<u>CONDITION(S)</u>	<u>ALLEGATION(S) OF NONCOMPLIANCE</u>
(Standard Condition) Reside at and participate in CRASH residential drug treatment program.	1. On September 3, 2008, CRASH staff reported the defendant was being terminated from their program for non-compliance with program rules.

Grounds for Revocation: Karen Miller, a case manager at CRASH residential drug treatment facility, notified the undersigned the defendant was given a pass for job search on September 3, 2008, with instructions to return to the facility by 12:00 pm. Ms. Miller reported the defendant returned at 3:00 pm without prior approval. As a result of this behavior, as well as previous rules violations, it was determined the defendant should be terminated from the CRASH program.

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VIOLATION SENTENCING SUMMARY

SUPERVISION ADJUSTMENT

The defendant, Peter Martin, was placed at the CRASH facility on April 9, 2008. There have been several reports of non-compliance with their rules and regulations since that placement. However, all previous violations of their rules were handled at the facility and the defendant was allowed to remain in the program.

DEFENDANT PERSONAL HISTORY/CHARACTERISTICS

The defendant has a reported history of alcohol and marijuana abuse.

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RECOMMENDATION/JUSTIFICATION

Mr. Martin has violated the rules of the CRASH program on multiple occasions. The most recent violation of their rules has resulted in his termination from the CRASH program. As a result, it is recommended that a no-bail bench warrant be issued to bring the defendant before the Court to show cause why his pretrial release should not be revoked.

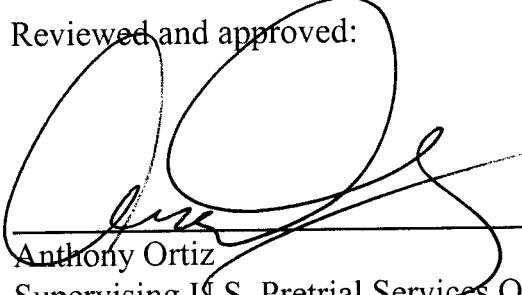
I declare under penalty of perjury that the foregoing is true and correct.

Executed on: September 3, 2008

Respectfully submitted:
Lori Garofalo
Chief Pretrial Services Officer

by 
Dave Horton
U.S. Pretrial Services Officer
(619) 557-7608

Reviewed and approved:


Anthony Ortiz
Supervising U.S. Pretrial Services Officer

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THE COURT ORDERS:

X A NO-BAIL BENCH WARRANT BE ISSUED BASED UPON A FINDING OF PROBABLE CAUSE TO BRING THE DEFENDANT BEFORE THE COURT TO SHOW CAUSE WHY PRETRIAL RELEASE SHOULD NOT BE REVOKED FOR THE ALLEGED VIOLATIONS.

Other _____


The Honorable Barbara Lynn Major
U.S. Magistrate Judge

9/3/08
Date